

## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE United States Patent and Trademark Office Address: COMMISSIONER FOR PATENTS P.O. Box 1450 Alexandria, Virginia 22313-1450 www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.		
09/874,371	06/06/2001	Andreas Leupolz	843/49983	2725		
23911	7590 08/04/2003					
	& MORING LLP		EXAM	EXAMINER		
P.O. BOX 143		JP	COLLINS, T	IMOTHY D		
WASHINGTON, DC 20044-4300			ART UNIT	PAPER NUMBER		
			3643	3643		
			DATE MAILED: 08/04/2003	DATE MAILED: 08/04/2003		

Please find below and/or attached an Office communication concerning this application or proceeding.

Advisory Action    Application No.   Applicant(s)   Applicant(s)   Applicant(s)   Applicant(s)   Applicant(s)   Applicant(s)   Examiner   Art Unit   3643					2		
Examiner Timothy D Collins 3843 The MAILING DATE of this communication appears on the cover sheet with the correspondence address THE REPLY FILED 17 July 2003 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. Therefore, further action by the applicant is required to avoid abandonment of this application. A proper reply to a final rejection under 37 CFR 1.13 may only be either (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compiliance with 37 CFR 1.134.  PERIOD FOR REPLY [check either a) or bi]    The period for reply expires 3 months from the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, windever is later. In no event, however, with the statutory period for reply expires 3 months from the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, windever is later. In no event, however, with the statutory period for reply expires 3 months from the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, windever is later. In no event, however, with the statutory period for reply expires 3 months from the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, which were the set of the final rejection of the final rejectio	-		Application No.	Applicant(s)			
### Examiner   Timothy D Collins   3643  ### Timothy D Collins   3	• • •	Advisory Action	09/874,371	LEUPOLZ ET AL.			
THE REPLY FILED 17 July 2003 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. Therefore, further action by the applicant is required to avoid abandonment of this application. A proper reply to a final rejection under 37 CFR 1.113 may only be either: (1) a timely filed Amendment which places the application in condition for allowance; (2) a timely filed Molice of Appeal (with appeal fee); or (3) a timely filed Action in condition for allowance; (2) a timely filed Molice of Appeal (with appeal fee); or (3) a timely filed Action in condition for allowance; (2) a timely filed Molice of Appeal (PC). The period for reply express 2 months from the mailing date of the final rejection.  **PERIOD FOR REPLY** (check either a) or b)!*  **The period for reply express 2 months from the mailing date of the final rejection.**  **ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FIRAL REJECTION. See MPEP 70.000.  **TORE THIS CONTROL on the system of the purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee have been filed to the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee have been filed to the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee the archeed statutory period for reply originally set in the final Office action with the period set forth in 37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the final rejection, even if timely filed, may reduce any extension free for final septiments.  **The proposed amendment(s) will not be entered because:  (a) they		Advisory Notion	Examiner	Art Unit			
THE REPLY FILED 17 July 2003 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. Therefore, further action by the applicant is required to avoid abandonment of this application. A proper reply to a final rejection under 37 CFR 1.113 may only be either. (1) at timely filed amendment within places the application in condition for allowance, (2) a timely filed Notice of Appeal (with appeal feet); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114.    PERIOD FOR REPLY [check either a) or b)			Timothy D Collins	3643			
Therefore, further action by the applicant is required to avoid abandomment of this application. A proper reply to a finial rejection under 37 CFR 1.113 may only be either. (1) at timely filled amendment within places the application in condition for allowance; (2) a timely filled Notice of Appeal (with appeal fee); or (3) a timely filled Request for Continued Examination (RCE) in compliance with 37 CFR 1.114.  PERIOD FOR REPLY (check either a) or b)]    The period for reply expires 3_months from the mailing date of the final rejection.		The MAILING DATE of this communication app	pears on the cover sheet with the	correspondence address			
The period for reply expires 2_months from the mailing date of the final rejection. The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, with the statutory period for reply expire is train all XMONTHS from the mailing date of the final rejection. ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 7000 TO THE CAST THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 7000 TO THE CAST THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 7000 TO THE CAST THIS BOX WHEN THE FIRST REPLY WAS FILED WORTH TO THE PRIVATE OF THE PRI	Theref final re conditi	ore, further action by the applicant is required to ejection under 37 CFR 1.113 may <u>only</u> be either: on for allowance; (2) a timely filed Notice of App	avoid abandonment of this appl (1) a timely filed amendment wh	ication. A proper reply to a nich places the application in			
to		PERIOD FOR R	EPLY [check either a) or b)]				
37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal.  2.	Extended have been 37 CFR (b) above	The period for reply expires on: (1) the mailing date of this Adevent, however, will the statutory period for reply expire later to ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS 706.07(f).  The period of time may be obtained under 37 CFR 1.136(a). The central filed is the date for purposes of determining the period of external filed is the date for purposes of determining the period of external filed is the date for purposes of determining the period of external filed is the calculated from: (1) the expiration date of the shorteness, if checked. Any reply received by the Office later than three news.	dvisory Action, or (2) the date set forth in than SIX MONTHS from the mailing date SFILED WITHIN TWO MONTHS OF The date on which the petition under 37 CFR 1 ension and the corresponding amount of the distautory period for reply originally set in	of the final rejection. HE FINAL REJECTION. See MPEP  .136(a) and the appropriate extension fee the fee. The appropriate extension fee under the final Office action; or (2) as set forth in			
(a) ☐ they raise new issues that would require further consideration and/or search (see NOTE below); (b) ☐ they raise the issue of new matter (see Note below); (c) ☐ they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or (d) ☐ they present additional claims without canceling a corresponding number of finally rejected claims.  NOTE:		37 CFR 1.192(a), or any extension thereof (37 C	FR 1.191(d)), to avoid dismissal	period set forth in I of the appeal.			
(b) ☐ they raise the issue of new matter (see Note below); (c) ☐ they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or (d) ☐ they present additional claims without canceling a corresponding number of finally rejected claims.  NOTE:	2.	The proposed amendment(s) will not be entered	because:				
(c)	(a)	they raise new issues that would require furt	ther consideration and/or search	(see NOTE below);			
issues for appeal; and/or  (d)	(b)	<del>-</del>					
NOTE:  3.	(c)		n in better form for appeal by ma	aterially reducing or simplifying the	<b>)</b>		
Applicant's reply has overcome the following rejection(s):  1. Newly proposed or amended claim(s) would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).  1. Newly proposed or amended claim(s) would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).  1. The an diffidavit, bn exhibit, or cn reconsideration has been considered but does NOT place the application in condition for allowance because: the request for reconsideration was not persuasive.  1. The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection.  1. For purposes of Appeal, the proposed amendment(s) and will not be entered or bn will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.  1. The status of the claim(s) is (or will be) as follows:  1. Claim(s) allowed:  2. Claim(s) allowed:  2. Claim(s) withdrawn from consideration:  3. The proposed drawing correction filed on is an approved or bn disapproved by the Examiner.  3. The proposed drawing correction filed on is an approved or bn disapproved by the Examiner.  3. Note the attached Information Disclosure Statement(s)( PTO-1449) Paper No(s).	(d)	they present additional claims without canc	eling a corresponding number o	f finally rejected claims.			
4. □ Newly proposed or amended claim(s) would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).  5. □ The a) □ affidavit, b) □ exhibit, or c) □ request for reconsideration has been considered but does NOT place the application in condition for allowance because: the request for reconsideration was not persuasive.  6. □ The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection.  7. □ For purposes of Appeal, the proposed amendment(s) a) □ will not be entered or b) □ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.  The status of the claim(s) is (or will be) as follows:  Claim(s) allowed: Claim(s) objected to: Claim(s) withdrawn from consideration: Claim(s) withdrawn from consideration: Simplify (if PATENT EXAMINER)  10. □ Other: Chirch(s) PATENT EXAMINER		<del></del>					
canceling the non-allowable claim(s).  5. □ The a) □ affidavit, b) □ exhibit, or c) □ request for reconsideration has been considered but does NOT place the application in condition for allowance because: the request for reconsideration was not persuasive.  6. □ The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection.  7. □ For purposes of Appeal, the proposed amendment(s) a) □ will not be entered or b) □ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.  The status of the claim(s) is (or will be) as follows:  Claim(s) allowed: □ □ □ □ □ □ □ □ □ □ □ □ □ □ □ □ □ □ □		• •		and the state of t			
application in condition for allowance because: <a href="mailto:the-request for reconsideration">the affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection.</a> 7. The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection.  7. For purposes of Appeal, the proposed amendment(s) a) will not be entered or b) will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.  The status of the claim(s) is (or will be) as follows:  Claim(s) allowed:  Claim(s) objected to:  Claim(s) rejected:  Claim(s) withdrawn from consideration:  Solution:  Note the attached Information Disclosure Statement(s)( PTO-1449) Paper No(s).  PETER N. POON  SERVISORY PATER EXAMINER		Newly proposed or amended claim(s) would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).					
raised by the Examiner in the final rejection.  7. For purposes of Appeal, the proposed amendment(s) a) will not be entered or b) will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.  The status of the claim(s) is (or will be) as follows:  Claim(s) allowed:  Claim(s) objected to:  Claim(s) rejected:  Claim(s) withdrawn from consideration:  8. The proposed drawing correction filed on is a) approved or b) disapproved by the Examiner.  9. Note the attached Information Disclosure Statement(s)( PTO-1449) Paper No(s).	5.🖂	∑ The a) ☐ affidavit, b) ☐ exhibit, or c) ☒ request for reconsideration has been considered but does NOT place the application in condition for allowance because: <a href="mailto:the-request for reconsideration">the-request for reconsideration was not persuasive</a> .					
explanation of how the new or amended claims would be rejected is provided below or appended.  The status of the claim(s) is (or will be) as follows:  Claim(s) allowed:  Claim(s) objected to:  Claim(s) rejected:  Claim(s) withdrawn from consideration:  8.  The proposed drawing correction filed on is a) approved or b) disapproved by the Examiner.  9.  Note the attached Information Disclosure Statement(s)( PTO-1449) Paper No(s).	6.						
Claim(s) allowed: Claim(s) objected to: Claim(s) rejected: Claim(s) withdrawn from consideration: 8.	7.	For purposes of Appeal, the proposed amendme explanation of how the new or amended claims	ent(s) a)⊡ will not be entered or would be rejected is provided be	b) will be entered and an elow or appended.			
Claim(s) objected to: Claim(s) rejected: Claim(s) withdrawn from consideration: 8.		The status of the claim(s) is (or will be) as follow	rs:				
Claim(s) objected to: Claim(s) rejected: Claim(s) withdrawn from consideration: 8.		Claim(s) allowed:	•				
Claim(s) rejected: Claim(s) withdrawn from consideration:  8.  The proposed drawing correction filed on is a) approved or b) disapproved by the Examiner.  9. Note the attached Information Disclosure Statement(s)( PTO-1449) Paper No(s).  10. Other:							
8. The proposed drawing correction filed on is a) approved or b) disapproved by the Examiner.  9. Note the attached Information Disclosure Statement(s)( PTO-1449) Paper No(s).  10. Other:							
9. Note the attached Information Disclosure Statement(s)( PTO-1449) Paper No(s).  10. Other: PETER M. POON  SERVISORY PATER EXAMINER		Claim(s) withdrawn from consideration:					
10. Other: PETER M. POON  SERVICULAR PATENT EXAMINER	8.	· ·					
SERVICULAR PATENT EXAMINER	9.						
			PE	MER IM. POON  IN PATENT EXAMINER			

ħ